

Opinion | US Nuclear Test Threat Rekindles Global Debate: Legal, Strategic, And Indian Perspectives

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The potential resumption of US nuclear testing highlights the fragile state of the global non-proliferation regime.



US President Donald Trump. (Getty)

In an unprecedented turn of events, the United States has reignited fears of a nuclear weapons race after President Donald Trump announced in late October 2025 that the country was prepared to resume nuclear-weapons testing. The rationale behind the same, as per the US, is to “act on an equal basis” with Russia and China. The announcement poses substantial legal and diplomatic questions about the existing international framework concerning nuclear testing.

The legal landscape surrounding nuclear weapons and their testing has always been complex. While the United Nations Charter, under Article 2(4), prohibits the threat or use of force against another state’s territorial integrity or political independence, it does not deal directly with the testing of nuclear weapons. The International Court of Justice (ICJ), in its landmark 1996 Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, held that the use of nuclear weapons would generally be contrary to international law and the UN Charter. However, the opinion did not address the inherent tension between the right to self-defence and humanitarian principles, which remains unresolved.

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The principal international instrument governing such tests is the Comprehensive Nuclear-Test-Ban Treaty (CTBT), adopted in 1996 to prohibit “any nuclear weapon test explosion or any other nuclear explosion.” The treaty has yet to enter into force because a sufficient number of member states have not completed the ratification process, including the USA. Despite this, Washington has maintained a voluntary moratorium on nuclear explosive testing since 1992. Nevertheless, under Article 18 of the Vienna Convention on the Law of Treaties, a state that has signed but not ratified a treaty is expected to refrain from acts that would defeat the treaty’s object and purpose.

Beyond multilateral treaties, bilateral arms-control agreements have historically been utilised in the nuclear domain. To illustrate, the New START Treaty between the United States and Russia, which limits deployed strategic nuclear warheads and delivery systems, remains the last major bilateral arms-control agreement still in force, though its future is uncertain amid deteriorating US–Russia relations. Overall, the broader fear is that signalling an end to the moratorium could prompt reciprocal reactions, undermining decades of restraint that have helped prevent an explosive arms race since the Cold War.

In this light, India’s approach may act as a guiding light for the international community. India, as one of the few nuclear-armed states outside the Nuclear Non-Proliferation Treaty (NPT) framework, has reacted cautiously to these developments. It conducted its last series of nuclear tests in 1998 under the Pokhran-II programme. India declared a unilateral moratorium on further testing and articulated a doctrine of credible minimum deterrence coupled with a No-First-Use policy. Although New Delhi has not signed the CTBT, it has maintained that it supports the treaty’s objectives in principle.

Diplomatically, India may seek to reinforce its image as a stable force by advocating renewed commitment to arms control at forums such as the United Nations and the International Atomic Energy Agency. Strategically, India may also need to reassess its deterrence posture and technological capabilities to ensure credibility without undermining its self-imposed moratorium.

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Ultimately, the potential resumption of US nuclear testing highlights the fragile state of the global non-proliferation regime. For countries like India, which balance strategic necessity with normative responsibility, this development represents both a risk and an opportunity: a risk of destabilising regional security dynamics and an opportunity to demonstrate leadership in advocating responsible nuclear leadership. As global attention turns toward Washington's next steps, the fate of the nuclear test ban and the broader stability of the international arms-control regime may depend on how the world's major powers, including India, choose to respond.

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